

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
HIGH HOPE ZHONGTIAN	:
CORPORATION,	:
	:
Plaintiff,	:
	:
- against -	:
	:
PEKING LINEN INC.,	:
	:
Defendant.	:
	:
-----X	

22-CV-7568 (VSB) (SN)

ORDER

VERNON S. BRODERICK, United States District Judge:

On September 5, 2022, Plaintiff High Hope Zhongtian Corporation (“Plaintiff”) filed this action against Defendant Peking Linen Inc. (“Defendant”), seeking recognition and enforcement of a foreign arbitration award under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards of June 10, 1958, codified in Chapter 2 of the Federal Arbitration Act (FAA), 9 U.S.C. §§ 201 *et seq.* (Doc. 1 at 5–6.)

After a certificate of default issued, I granted Plaintiff a default judgment as to liability against Defendant, and referred this case to Magistrate Judge Sarah Netburn for an inquest on damages. (Docs. 23, 24.)

On April 15, 2024, Magistrate Judge Netburn issued a thorough 9-page Report and Recommendation recommending that “the arbitration award be confirmed in full, and that the Plaintiff be awarded \$928,767.99 plus the total Renminbi awarded converted to U.S. dollars at the time judgment is entered, and applicable prejudgment interest at nine percent per annum.” (Doc. 30 at 1.) None of the parties filed any objections to the Report and Recommendation.


A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985).

Although the Report and Recommendation explicitly provided that “[t]he parties shall have 14 days from the service of this Report and Recommendation to file written objections under 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure” and “[t]he failure to file timely objections will waive those objections for purposes of appeal,” (Doc. 30 at 9), none of the parties filed an objection or requested additional time to do so. I have reviewed Magistrate Judge Netburn’s detailed and well-reasoned Report and Recommendation for clear error and, after careful review, find none. I therefore ADOPT the Report and Recommendation in its entirety.

The Clerk’s Office is respectfully directed to terminate any open motions, to enter judgment in accordance with this Order, and to close this case.

SO ORDERED.

Dated: May 1, 2024
New York, New York


Vernon S. Broderick
United States District Judge